# Case 12-26086-KCF Doc 108 Filed 11/09/16 Entered 11/10/16 00:33:31 Desc

		<u> Paue I 014                                  </u>
Information to	identify the case:	. <b>9</b>
Debtor 1	Michael A. Barbour	Social Security number or ITIN xxx-xx-3776
	First Name Middle Name Last Name	EIN
Debtor 2 (Spouse, if filing)	First Name Middle Name Last Name	Social Security number or ITIN
United States Bankruptcy Court District of New Jersey		
Case number: 12-26086-KCF		

# **Order of Discharge**

12/15

IT IS ORDERED: A discharge under 11 U.S.C. § 1328(a) is granted to:

Michael A. Barbour

11/7/16

By the court:

Kathryn C. Ferguson

United States Bankruptcy Judge

#### **Explanation of Bankruptcy Discharge in a Chapter 13 Case**

This order does not close or dismiss the case.

### Creditors cannot collect discharged debts

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

This order does not prevent debtors from paying any debt voluntarily. 11 U.S.C. § 524(f).

#### Most debts are discharged

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts provided for by the chapter 13 plan.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

#### Some debts are not discharged

Examples of debts that are not discharged are:

- debts that are domestic support obligations;
- debts for most student loans;
- debts for certain types of taxes specified in 11 U.S.C. §§ 507(a)(8)(C), 523(a)(1)(B), or 523(a)(1)(C) to the extent not paid in full under the plan;

For more information, see page 2

- debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- some debts which the debtors did not properly list;
- debts provided for under 11 U.S.C. §
   1322(b)(5) and on which the last payment
   or other transfer is due after the date on
   which the final payment under the plan
   was due;
- debts for certain consumer purchases made after the bankruptcy case was filed if obtaining the trustee's prior approval of incurring the debt was practicable but was not obtained:

- debts for restitution, or damages, awarded in a civil action against the debtor as a result of malicious or willful injury by the debtor that caused personal injury to an individual or the death of an individual; and
- debts for death or personal injury caused by operating a vehicle while intoxicated.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

This information is only a general summary of a chapter 13 discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.

Form 3180W Chapter 13 Discharge page 2

# Case 12-26086-KCF Doc 108 Filed 11/09/16 Entered 11/10/16 00:33:31 Desc

In re: Michael A. Barbour Debtor Case No. 12-26086-KCF Chapter 13

## **CERTIFICATE OF NOTICE**

District/off: 0312-3 User: admin Page 1 of 2 Date Rcvd: Nov 07, 2016 Form ID: 3180W Total Noticed: 23 Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 09, 2016. db 204 West Farms Road, Farmingdale, NJ 07727-3556 +Michael A. Barbour, +Stern Lavinthal & Frankenberg, 105 Eisehower Parkway, Suite 302, Roseland, NJ 07068-1640 +HSBC Bank USA, National Association, as Trustee, i, C/o Select Portfolio Servicing, Inc., aty +Stern Lavinthal & Frankenberg, 105 Eisehower Parkway, Suite 302, Roseland, NJ 0
+HSBC Bank USA, National Association, as Trustee, i, C/o Select Portfolio Servicin
3815 South West Temple, Salt Lake City, UT 84115-4412
+A-1 Collections Svc, 101 Grovers Mill Rd Ste, Lawrenceville, NJ 08648-4706
+Asc, Po Box 10328, Des Moines, IA 50306-0328
+CAPITAL ONE, N.A., PO Box 12907, Norfolk VA 23541-0907
+Chase Auto, Po Box 24696, Columbus, OH 43224-0696
Fremont Investment And L, Pob 8208, Orange, CA 92864
+HSBC Bank USA, National Association, as, Serviced by Select Portfolio Servicing, cr513158943 513158944 513430324 513158947 513158949 514362849 3815 South West Temple, Salt Lake City, UT 84115-4412 +HSBC Bank USA, National Association, as, Serviced by Select Portfolio Servicing,, 3815 South West Temple, Salt Lake City, UT 84115-4412, HSBC Bank USA, National Association, as, Serviced by Select Portfolio Servicing, 514362850 Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. E-mail/Text: usanj.njbankr@usdoj.gov Nov 08 2016 00:06:28 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534 U.S. Attorney, 970 Broad St., +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Nov 08 2016 00:06:26 United States Trustee sma 1085 Raymond Blvd., One Newark Center, Suite 2100, Office of the United States Trustee, Newark, NJ 07102-5235 +EDI: BANKAMER.COM Nov 07 2016 23:38:00 Bank of America, 450 American Street, lm Simi Valley, CA 93065-6285 +EDI: DRIV.COM Nov 07 2016 23:38:00 Santander Consumer USA, Inc., P.O. Box 562088, Suite 900-North, Dallas, TX 75247, UNITED STATES 75356-2088 BANK OF AMERICA, N.A., 400 National Way, 513652585 +EDI: BANKAMER.COM Nov 07 2016 23:38:00 Bankruptcy Department, Mail Stop CA6-919-01-23, Simi Valley, CA 93065-6414 +EDI: BANKAMER.COM Nov 07 2016 23:38:00 BANK OF AMERICA, N.A., 400 Nationa 400 National Way, 513341571 Bankruptcy Department Mail Stop CA6-919-, Simi Valley, CA 93065-6414 513158945 +EDI: BANKAMER.COM Nov 07 2016 23:38:00 Bank Of America, N.a., 450 American St, Simi Valley, CA 93065-6285 513158946 +EDI: CAPONEAUTO.COM Nov 07 2016 23:38:00 Capital 1 Fa, 3901 Dallas Pkwy, Plano, TX 75093-7864 +EDI: AMINFOFP.COM Nov 07 2016 23:38:00 513158948 First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868 +EDI: HFC.COM Nov 07 2016 23:38:00 513158950 Hsbc Auto, 6602 Convoy Court, San Diego, CA 92111-1009 513883033 +EDI: PRA.COM Nov 07 2016 23:38:00 PRA Receivables Management, LLC, POB 41067, Management, LLC, POB 41067, Norfolk, VA 23541-1067 PRA Receivables Management, LLC, POB 41067, Norfolk, VA 23541, PRA Receival +EDI: PRA.COM Nov 07 2016 23:38:00 PRA Receivables Management, LLC, POB 41067, 513883032 Norfolk, VA 23541-1067 EDI: DRIV.COM Nov 07 2016 23:38:00 513166740 Santander Consumer USA, P.O. Box 560284, Dallas, TX 75356-0284 **TOTAL: 13** \*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

513290527\* Santander Consumer USA, PO Box 560284, Dallas, TX 75356-0284

TOTALS: 0, \* 1, ## 0

Addresses marked  $^{\prime}+^{\prime}$  were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 09, 2016 Signature: /s/Joseph Speetjens

## Case 12-26086-KCF Doc 108 Filed 11/09/16 Entered 11/10/16 00:33:31 Desc Imaged Certificate of Notice Page 4 of 4

District/off: 0312-3 Date Rcvd: Nov 07, 2016 User: admin Page 2 of 2 Total Noticed: 23 Form ID: 3180W

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 7, 2016 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com Albert Russo docs@russotrustee.com

Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com

Andrew M. Lubin on behalf of Creditor HSBC Bank USA, National Association, as Trustee, in trust for the registered holders of ACE Securities Corp. Home Equity Loan Trust, Series 2006-FM2,

Asset Backed Pass-Through Certificates bkecf@milsteadlaw.com, alubin@milsteadlaw.com

Denise E. Carlon on behalf of Creditor HSBC Bank USA, National Association, as Trustee, in trust for the registered holders of ACE Securities Corp. Home Equity Loan Trust, Series 2006-FM2,

Asset Backed Pass-Through Certificates dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Jeanette F. Frankenberg on behalf of Creditor BANK OF AMERICA, N.A., AS SERVICER FOR HSBC

BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF ACE SECURITIES CORP.

HOME EQUITY LOAN TRUST, SERIES 2006-FM2 ASSET-BACKED PASS-THRO cmecf@sternlav.com

John R. Morton, Jr. on behalf of Creditor Santander Consumer USA, Inc.

mortonlaw.bcraig@verizon.net, donnal@mortoncraig.com;mhazlett@mortoncraig.com R. A. Lebron on behalf of Creditor BANK OF AMERICA, N.A., AS SERVICER FOR HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF ACE SECURITIES CORP. HOME EQUITY R. A. Lebron LOAN TRUST, SERIES 2006-FM2 ASSET-BACKED PASS-THRO bankruptcy@feinsuch.com

Robert C. Nisenson on behalf of Debtor Michael A. Barbour rnisenson@aol.com,

nisensonlaw@aol.com;G2729@notify.cincompass.com;nisensonlaw@gmail.com

Sean M. O'Brien on behalf of Creditor HSBC Bank USA, National Association, as Trustee, in trust for the registered holders of ACE Securities Corp., Home Equity Loan Trust, Series 2006-FM2, Asset Backed Pass-Through Certificates sobrien@flwlaw.com

Sean M. O'Brien on behalf of Creditor HSBC Bank USA, National Association, as Trustee, in trust for the registered holders of ACE Securities Corp. Home Equity Loan Trust, Series 2006-FM2, Asset Backed Pass-Through Certificates sobrien@flwlaw.com

TOTAL: 11